



**State of Florida  
Department of Children and Families**

**Ron DeSantis**  
Governor

**Chad Poppell**  
Secretary

March 25, 2019

Florida Supreme Court  
500 South Duval Street  
Tallahassee, FL 32399  
**(via Florida Courts E-filing Portal)**

**Re: Proposed Rule 2.570 Parental Leave Continuance, Case No. SC18-1554**

Dear Justices:

The Department of Children and Families (“the Department”) respectfully submits this additional comment pursuant to Florida Rule of Judicial Administration 2.140(e)(2) in response to the publication of the revised draft of Rule 2.570 submitted by the Rules of Judicial Administration Committee (“RJAC”).

Previously, the Department filed a comment on November 15, 2018, explaining that Rule 2.570 as originally proposed mandated a presumption that continuances for parental leave should be granted in all cases including dependency cases, which would lead to continuances that are contrary to the provisions of Chapter 39 and delays that would have a negative impact on Florida’s dependent children. As a result, the Department supported the concerns the Juvenile Court Rules Committee (JCRC) raised in its comment submitted on August 15, 2018. The Department joined the JCRC in advocating that if this Court were to adopt a rule on parental leave that the Court adopt a version of the rule that expressly provides that the rule would not apply to proceedings governed under the Florida Rules of Juvenile Procedure.

After the Department filed its November comment, the RJAC through its chair contacted the Department’s undersigned counsel to formulate a revised proposal that would address the Department’s concerns. As a result of those communications and communications with other stakeholders, the RJAC has now proposed a revised Rule 2.570. The revised proposal assuages the Department’s concerns because it provides that a motion for continuance based on parental leave filed in a dependency case would be governed by Florida Rule of Juvenile Procedure 8.240(d), which sets limits on the number of continuances that can be granted in a case and outlines factors for the court to consider in granting continuances that are in conformity with Chapter 39. The Department thanks the RJAC, its chair, the JCRC, and the other stakeholders whose work lead to the revised rule.

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Mission: Work in Partnership with Local Communities to Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

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Accordingly, the Department has no objection to this Court approving the RJA's revised draft of Rule 2.570 submitted on December 21, 2018. The Department appreciates this Court's consideration of the matter and stands ready to respond to any questions the Court has regarding this or its prior comment.

Sincerely,

/s/ Stephanie C. Zimmerman  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of this comment has been served by electronic mail via the Florida Courts E-filing Portal on March 25, 2019 on the Chair of the Rules of Judicial Administration Committee, Eduardo I. Sanchez, 99 NE 4th Street, Suite 800, Miami, Florida 33132-2131, [eduardo.i.sanchez@usdoj.gov](mailto:eduardo.i.sanchez@usdoj.gov), and on the Bar Staff Liaison to the Committee, Krys Godwin, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300, [kgodwin@floridabar.org](mailto:kgodwin@floridabar.org).

/s/ Stephanie C. Zimmerman  
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